

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, MARCH 17, 2010 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2009-May 2010	
		Present	Absent
Tom Welch, Chair	P	7	2
Patrick McTigue, Vice Chair	P	9	0
Catherine Maus	P	7	2
Rochelle Golub	A	7	2
Maria Freeman	P	7	2
Fred Stresau	P	9	0
Mike Moskowitz	P	8	1
Michelle Tuggle	P	8	1
Peter Witschen	P	8	1

Staff

Greg Brewton, Director of Planning and Zoning
Sharon Miller, Assistant City Attorney
Anthony Fajardo, Planner III
Yvonne Redding, Planner II
Thomas Lodge, Planner II
Terry Burgess, Zoning Administrator
Cheryl Felder, Service Clerk
Frank Snedaker, Chief City Architect
Tom White, City Landscape Architect
Dennis Girisgen, City Engineer
Carol Ingold, Parks and Recreation Department
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None at this time.

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	<u>Case Number</u>	<u>Applicant</u>
1.	24-R-10** *	City of Fort Lauderdale
2.	25-R-10** *	City of Fort Lauderdale
3.	78-R-09** *	Bay Colony Exxon, Inc. / Burger King
4.	2-T-10*	City of Fort Lauderdale
5.	Communication to the City Commission	

6. For the Good of the City

Special Notes:

Local Planning Agency (LPA) Items (*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial Items ()** – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

Call to Order

Chair Welch called the meeting to order at 6:33 p.m. and all stood for the Pledge of Allegiance. He introduced the Board members, and Planning and Zoning Director Brewton introduced the members of City Staff. Assistant City Attorney Miller explained the quasi-judicial process used by the Board.

It was noted that the attendance records for Vice Chair McTigue, Ms. Maus, and Ms. Tuggle should be corrected to 8-0, 6-2, and 7-1 respectively.

Mr. Witschen stated that he wished to clarify his comment on p.5 regarding PUD. The comment referred to First Presbyterian Church.

Motion made by Mr. Stresau, seconded by Mr. Witschen, to approve the minutes of the February 17, 2010 meeting as corrected. In a voice vote, the **motion** carried unanimously.

It was noted that Ms. Tuggle's attendance for the February 24, 2010 Special Meeting should be corrected. Mr. Stresau added that he had asked that copies of Mr. Winter's PowerPoint presentation from this meeting be distributed to the Board members; however, copies had not been distributed as requested at this time.

Motion made by Ms. Maus, seconded by Mr. Stresau, to approve the minutes of the Special Meeting held on February 24, 2010, as corrected. In a voice vote, the **motion** carried unanimously.

1. City of Fort Lauderdale

Yvonne Redding

24R10

Request: ** * Site Plan Level III - Waterway Use Approval / Public Purpose Use Approval/Sailboat Bend Preserve/ Requesting Relief from Parking Requirements / "P" Zoning District

Legal Description: Lots 1 thru 10, Block 4 and Lots 1 thru 7 Block 3, River Highlands, P.B. 10, P. 3, of the Public Records of Broward County, with a portion of vacated SW 2 Court and a portion of vacated SW 14 Way

Address: 1401 SW 2nd Court

General Location West of SW 14 Avenue and East of the New River

District: 4

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Frank Snedaker, representing the City, explained that the site was first presented to the Board in December 2009 for rezoning; since then, it has gone before the Development Review Committee (DRC) and the Historic Preservation Board. The site consists of 2.62 heavily wooded acres, the southern portion of which was a conservation area obtained in 2005. It was listed as a natural resource area in 1989 due to an established live oak canopy. The northern portion includes an area of Middle Street that was vacated in 2004. An eastern parcel, already designated a park, is also included. The proposed project will consolidate all parcels and create one unified property.

The City plans to leave the conservation area undisturbed, with nature trails and interpretive signs only. On the east side, along 14th Avenue, the site will be protected by a fence running north to south. The vacated street portion remains a utility easement and will be left in its current condition. The old park will be the primary focus of development. Mr. Snedaker referred the Board to the site plan included in their packet, stating that parallel parking will be provided along 14th Avenue to prevent encroachment of the park area. A paver walkway, small gazebo, playground structure, and horseshoe pit will be included. Most of the area will remain "natural park," with no further development.

The plan was presented to the neighborhood in May 2009, and Mr. Snedaker advised there is a letter in support of the plan from the Sailboat Bend Civic Association.

Yvonne Redding, Planner, stated the City's Parks and Recreation Department wishes to preserve and maintain the park, while adding a few amenities allowed

under the Comprehensive Plan. They are requesting public purpose use for the parking requirements, providing parking only for that portion of the park expected to have public use. Staff does not believe parking is needed for the entire park.

There being no further questions from the Board at this time, Chair Welch opened the public hearing.

Don Wilkin, private citizen, stated he resides to the west side of the property. He noted that Ms. Redding had stated the proposed uses are consistent with park rezoning; however, he did not feel these were consistent with the original intent or "the way that the land was purchased." One parcel was purchased as conservation land, and the vacated parcel was purchased as green space. This is where the proposed playground area would be located. He asserted that green spaces serve to provide an important buffer zone between environmentally sensitive lands and conservation lands.

Mr. Wilkin did not feel there is a need for a pavilion on the site, as the park is heavily canopied. He reiterated that a children's playground is inconsistent with the use for the property as purchased, and added that SW 14th Avenue could create "safety concerns" for a playground in this area. He noted that the area originally used as a parking lot had also served a "dewatering function... around old gas tanks," and suggested that before any use occurs on this site, it should be determined that the soil is not contaminated.

He concluded that the project should be "better thought out," as there are other parcels that would be preferable for a pavilion or playground area.

In addition, Mr. Wilkin stated he was involved in vacating the portion of the street, and recalled that the City Commission had planned to install a fence from SW 14th Avenue and 14th Way to the canal. The purpose of this fence was to provide a buffer zone from "homeless people sleeping in the woods," which he stated is currently an issue in the area.

Ms. Freeman asked what Mr. Wilkin's ideal use of the property might be. Mr. Wilkin responded that there could be "open areas" with benches for passive use, but did not agree with the installation of "a noisy area" that could encroach on the conservation portion. He added that conservation areas are "typically fenced" and invite only passive use.

Ms. Freeman requested a description of the restriction placed on the sale of Mr. Wilkin's land for the easement. He replied that one condition was the vacation of SW 2nd Street as a buffer zone for privacy; the fence was "part of the condition of the vacation of the street." The street was vacated in 2005.

Mr. Stresau asked if the height of the fence was specified. Mr. Wilkin stated it was specified in a letter that a 6 ft. 6 in. fence was planned, although he felt a 5 ft. fence would be sufficient. Ms. Redding advised that Planning Staff, as well as the Historic Preservation Board, had asked that a lower railing fence be provided to allow for a view of the open space. Mr. Snedaker clarified its height would be roughly 3 ft.

Mr. Snedaker also addressed the purchase and use of the area, referring to the final Resource Management Plan from the County that was part of the purchase agreement. It specifies preservation of the conservation area, with only nature trails, but also specifies a picnic pavilion and a "tot lot" playground.

Chuck Willard, private citizen, stated he lives in the area as well and is speaking for two families currently not residing in the state as well as for himself. He asserted that when the property was sold, the sellers were "led to believe it would remain like it always was."

He continued with the following questions:

- Who requested the project in this neighborhood;
- Who decided to change from the original plan;
- What the project will cost;
- Whether the project can be built elsewhere in Sailboat Bend; and
- What would happen if the project was not constructed at all.

There being no other members of the public wishing to speak on this Item, Chair Welch closed the public hearing and brought the discussion back to the Board.

Ms. Freeman asked if the plan had been brought before the community, and if the concerns raised tonight were presented at that time. Mr. Snedaker offered to show the Board what was presented at this meeting, as well as the letter from the Sailboat Bend Civic Association. The rendering provided showed nature trails, a playground, the street vacation, the gazebo, and the horseshoe pit. The on-site parking shown at that time has been changed to parallel parking in order to "keep more of the park green."

Motion made by Ms. Maus, seconded by Mr. Moskowitz, to approve the Application.

Mr. Stresau observed that the horseshoe pits should not be placed adjacent to a children's play area. He also expressed concern regarding the installation of a fence by the City, as the small wooden fence "doesn't represent" what the homeowners appear to have expected, although he was not certain this issue should be addressed along with the Application.

Attorney Miller agreed with this division of the issue, and stated some research will be done regarding the fence; if this affects the site plan sufficiently, it will come before the Board once again.

Mr. Witschen agreed with Mr. Stresau's observation regarding the horseshoe pit and advised that Risk Management review this part of the plan.

In a roll call vote, the **motion** carried unanimously.

2. City of Fort Lauderdale

Yvonne Redding

25R10

Request: ** * Site Plan Level III - Waterway Use Approval / Public Purpose Use Approval/Bill Keith Preserve/ Requesting Relief from Parking Requirements / "P" Zoning District

Legal Description: E F Marshals Sub Rev Plat 1-2 B 16-50-42, and Lot 17 lying in W1/2 of W1/2 of NE ¼ of SW 1/4

Address: 1720 SW 17 Street

General Location South of SW 17 Street, North of the New River

District: 4

Disclosures were made, and any members of the public wishing to speak on this item were sworn in.

Mr. Snedaker advised the City is requesting site plan approval of another small neighborhood park located on the water. The Bill Keith Preserve is a 3.42 acre remnant of cypress swamp on the north shore of the Middle River, and was also obtained through the County Safe Parks and Land Preservation Bond. The property is part of a conservation element and was given to the City on December 1, 2005. The purpose of the easement was to retain the land and water in their natural state, with the exception of items identified in the management plan, which include a small pavilion, kayak and canoe launches, paths, and parking.

The development will be minimal, and the City will add a small pavilion near the water, as well as parking for four cars and a path through the site. The City is requesting site plan approval and a parking reduction: due to the nature of a neighborhood park, they are requesting "minimal parking" and would require four spaces instead of eight.

Ms. Redding stated the site plan is consistent with the parks, waterway use, and public purpose use for parking. As the site abuts a residential lot, which would require a wall, the City is also requesting public purpose relief from this wall.

She added that the property beside the lot is a rental property, and the owner has given no feedback.

There being no questions from the Board at this time, Chair Welch opened the public hearing.

There being no members of the public wishing to speak on this Item, Chair Welch closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Stresau, seconded by Ms. Maus, to approve the Application. In a roll call vote, the **motion** carried unanimously.

It was clarified that the **motion** includes the deletion of the wall.

3. **Bay Colony Exxon, Inc. / Burger King** **Thomas Lodge** **78R09**

Request: ** * **Site Plan Level III / Waterway Use / Change of Use: 2,956 SF Gas Station Use to 2,956 Restaurant with Drive-Thru Facilities / B-1 Zoning District**

Legal Description: All that part of the West ½ of the East ½ of the West ½ of the Northeast ¼ of Section 13, Township 49 South, Range 42 East, Lying East of the East right-of-way line of US Highway No. 1, and North of the North right-of-way line of NE 55th Court, as shown on the Plat of "CORAL RIDGE COMMERCIAL BOULEVARD-ADDITION NO 1", According to the plat thereof, Recorded in Plat Book 52, Page 17, of the Records of Broward County, Florida; Together with a part of that portion of the West ½ of the Southeast ¼ of the Southwest ¼ of the Southeast ¼ of Section 12, Township 49 South, Range 42 East, Lying East of the Easterly right-of-way line of US Highway No. 1

Address: 5556 North Federal Highway

General Location NE corner of NE 55 Court and North Federal Highway

District: 1

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Mr. Stresau asked if the variance that permitted parking in the 20 ft. inter-district corridor was for another site plan, rather than the site plan before the Board. He

stated that he had asked both Staff and Assistant City Attorney Bob Dunckel for their opinions on this issue, and asked Planner Thomas Lodge to explain.

Mr. Lodge advised a variance was granted on March 12, 2008, for what was then a Starbucks site: the Board of Adjustment agreed to allow parking to encroach into the 20 ft. landscape buffer. It was brought to Staff's attention that this variance states there was a condition which allowed the spaces to be "the only thing that would be allowed for this variance." The site then became a Burger King site, which added a drive-through; the drive-through now encroaches onto this space, and it is not legally allowed by the variance to be within the 20 ft. buffer.

Attorney Miller clarified that a "concern" was given and was sent back to Staff, which stated the two site plans required review. She asserted that no opinion has yet been given on this issue.

Director Brewton advised there are several options for this Item: the Board could review the plan tonight, and would be allowed to approve the Application subject to the granting of the variance, or they could choose not to review the Application until the variance has been obtained.

Mr. Witschen asked if the variance was considered "a right" and was not revisited for this reason. Director Brewton explained that without having a copy of the order in front of them, Staff felt it was "probably okay to move forward" with review of the Application.

George Morgan, representing Morgan Property, stated the site plan currently before the Board was before the Board of Adjustment the previous week, and there was no discussion of a change from the original plan. The site plan had gone before the Board of Adjustment because parking was not permitted in the 20 ft. front area. He pointed out that no prohibition is made against a drive aisle being placed within this 20 ft. corridor.

Mr. Stresau pointed out that Code specifically states the corridor must be "landscaping and only landscaping," even to the exclusion of lighting. Mr. Morgan disagreed with this statement.

Chair Welch advised the Board is willing to hear the Application, and any decision they make will possibly "be subject to some further determination."

Mr. Morgan stated he had brought the minutes from the Board of Adjustment meeting, at which there was no objection to the plan "from a landscaping perspective."

He noted, however, that the Application before the Board concerns the waterway, which is a "dead-end canal." Mr. Morgan explained there is a wall between the site and the two properties adjoining it on either side; the Applicant has offered to maintain this wall, which is agreed upon by the City and the property owners.

In reviewing the landscape plan with City Staff, Mr. Morgan observed, landscaping has been significantly increased along the rear property line, and islands have been moved to bring them closer to the waterway area. One of the site's finger islands abuts the waterway entrance. He asserted that based on conversations with Staff, the City feels the Applicant is "meeting the essence of what the Ordinance is about." Should the 20 ft. buffer be replaced, he pointed out, all the landscape islands currently spread throughout the parking lot would all be at one area of the site.

Mr. Lodge advised that the Applicant proposes to construct a 2945 sq. ft. restaurant with a drive-through. The proposed restaurant is located on a 28,662 sq. ft. waterway site. The proposed parking currently encroaches on a 20 ft. landscape buffer required by ULDR Section 47.23.8.B.1. This encroachment must be reviewed and approved by the Planning and Zoning Board.

There being no questions from the Board at this time, Chair Welch opened the public hearing.

Hugh Gardiner, private citizen, presented the Board with a petition, along with a letter from the President of the Knox Theological Seminary across the street from the site. He stated there are several concerns, including traffic at a busy intersection with two schools, one church, and the site in question. Mr. Gardiner asserted that there have been "several deaths" at this intersection and the surrounding area. He asked if the impact on the intersection's traffic flow has been evaluated. Residents of 26th Avenue have concerns about the impact on the traffic flow, as well as increases in truck traffic, vermin, and noise; he also expressed concern that the area could be a "hangout for young people" and could exacerbate homeless issues by creating "a magnet."

He concluded that "nobody in this neighborhood wants Burger King to come in."

Nicole Hurley, private citizen, stated she lives near the site on 26th Avenue as well, and shares the concerns expressed by Mr. Gardiner, particularly with regard to safety issues and the crime rate.

Mike Pritchard, private citizen, advised that the traffic count on 26th Avenue during the school year is 60-80 cars per day; however, "over 99% of the cars" turn left onto 55th Street, where there have been several accidents.

He continued that the City's noise ordinance is in effect at 7:00 a.m.; however, delivery, garbage, and other trucks regularly visit the lot of a nearby Olive Garden before this time. The noise issue for that particular site is scheduled to go before a Magistrate. Mr. Pritchard concluded he wished he had never purchased a home on 26th Avenue.

Grace Gardiner, private citizen, stated she lives roughly 60 yards from the proposed site. She felt Burger King is "a very poor choice" for the location, as it would tremendously increase neighborhood traffic and safety issues. She added that the noise level would become an even greater problem as well.

Wes Hawkins, private citizen, also resides near the proposed site, and pointed out that in addition to the waterway, the restaurant would abut condominium units and 14 houses on 26th Avenue. He asserted that the neighborhood, church, seminary, businesses, and condominium associations do not want a Burger King to be built on the site.

Mr. Witschen asked exactly what the Board is being asked to approve for this site. Director Brewton replied that the site plan, based upon its design, is before the Board.

Mr. Witschen asked if Staff has conducted or reviewed a traffic study. Dennis Girisgen, City Engineer, stated that the Applicant conducted driveway counts at a similar Burger King located at NE 12th Avenue. Daily counts would be approximately 850 vehicles; as this number does not trigger a traffic study, this requirement was waived.

Attorney Miller reminded the Board that the Applicant is typically allowed to make final comments upon the close of the public hearing. Mr. Morgan was invited to make these comments at this time.

Mr. Morgan stated he is a longtime resident of the community and could appreciate the comments made by the homeowners; however, the requested use is permitted within its proposed zoning district. He felt they have been sensitive to the concerns of adjoining property owners, and noted that the condominium association has endorsed the use of the site.

He noted that the structure formerly located on the site has been torn down to prevent it from being a nuisance to the neighborhood; prior to this, it was used for "many years" as a service station. Mr. Morgan asserted the Burger King use is less intensive than the station would have been. He noted that the difficulties with the Olive Garden described by the residents should not be a means by which to judge how Burger King might operate. He asserted that delivery hours can be limited and the user will adhere to the existing Code restrictions.

Mr. Morgan stated that the only issue bringing the site plan before the Board is the waterway abutment. The site underwent a complete plat review that cut back on the access points and added sidewalks and landscaping. He asked that the Board focus on this as the primary issue before them.

There being no other members of the public wishing to speak on this Item, Chair Welch closed the public hearing and brought the discussion back to the Board.

Mr. Moskowitz commented that Federal Highway is a business corridor, and should have businesses located there unless they fail to fulfill the requirements of adequacy and neighborhood compatibility. While he recognized the residents' complaints, he noted that they do not necessarily correlate with requirements that would cause the Board to reject the project.

Mr. Stresau recalled Mr. Lodge had stated the encroachment of the drive-through must be reviewed and approved by the Board. Mr. Lodge confirmed this, reading again from his Staff Report, and explained that the three parking spaces encroaching upon this buffer must be approved by the Board.

Mr. Stresau asked Mr. Girisgen if the drive-through requires a bypass. Mr. Girisgen stated there is "nothing in the Code" that requires this, although a bypass is encouraged and preferred. Mr. Stresau asked if the Burger King is required to provide a loading zone; Mr. Girisgen replied that because the site is under 15,000 sq. ft., a loading zone is not required.

Mr. Stresau asked if the Board could add the condition that deliveries must be made at a time when the parking lot could be blocked; Mr. Burgess confirmed this.

Mr. Stresau requested that Director Brewton read the requirements of the inter-district corridor, explaining that he would like to hear what Code says with regard to the variance along US-1; this is the encroachment of parking into the 20 ft. corridor. Director Brewton stated this is Section 47.21.10.D.6:

"The first 20 ft. of the yard fronting on those streets subject to the inter-district corridor requirements, as provided in Section 47.23.9, shall be in landscaping: no paving, parking, or walkways shall be allowed in said 20 ft. area other than necessary access from a right-of-way, unless otherwise specifically permitted in Section 47.23.9 inter-district corridor requirements."

Mr. Stresau noted that according to the site plan, the Applicant's sign would be placed in this 20 ft. area, as would the dumpster, neither of which is allowed in this space.

He continued that the Applicant had stated he had been "sensitive" to neighbors' concerns, and noted the letter from the Improvement Association of Lauderdale Estates, dated February 10, 2010, which specifically requests that light poles on the site be reduced from 20 ft. to 12-15 ft. The site plan shows these poles at a height of 20 ft. Mr. Stresau observed while none of the adjacent residents had mentioned lighting, a light pole of this height would not be "in [the neighbors'] best interests."

He added that although the Applicant had stated trash pickup is a Code Enforcement issue, the Board has previously issued conditions that other fast-food restaurants regularly pick up trash on their sites. He felt this should be considered when making a motion on the Application.

Mr. Stresau stated he was unsure that the photometrics in SL-1 show whether the lights stop at the site's property line, and asked Mr. Burgess if he could clarify this. Mr. Burgess advised he had reviewed the photometrics plan, and confirmed that the lighting spillover is zero where adjacent to the residential property on the east side of the site.

Ms. Tuggle asked if there is a red light at the intersection of 55th and US-1. Mr. Girisgen confirmed there is a signal light. Ms. Tuggle also requested clarification of the term "stacking." Mr. Girisgen explained this is measured at driveways from the property line "to the first point of conflict" and refers to "cars waiting to get in." The term refers to safe and adequate access to a property to avoid its "stacking" into a major roadway. It was also clarified that "bypass" refers to another "free" lane adjacent to the service area in front of the drive-through.

Ms. Tuggle noted that the letter from the condominium association requests extra buffering and landscaping, while the Board is being asked to reduce this buffer area. Greg Wolf, also representing the Applicant, stated that this concern refers to "flush landscaping" on the east side of the property. He noted that the trees depicted on the site plan are shown as they are today.

Ms. Maus agreed that the letter requests extra buffering, landscaping trees, and lower light poles, and asks which of these have been mitigated. Mr. Morgan advised that while the light poles are still 20 ft. in height, there are shields on the backs of the fixtures to prevent neighbors from seeing the light coming down. He confirmed that the extra buffering and trees do exist on the site and have "exceeded [Staff's] requirements." Mr. Lodge agreed with this.

Motion made by Mr. Moskowitz, seconded by Mr. Witschen, to approve the Application. In a roll call vote, the **motion** carried 5-3 (Mr. Witschen, Mr. Stresau, and Ms. Tuggle dissenting).

Attorney Miller noted that the approval is contingent upon the resolution of the variance issue, which is not an issue that the Board can approve. She explained that the Application was submitted with the assumption that the variance was valid and applicable; this question is presently outstanding.

Mr. Witschen stated that if the variance issue must be revisited, he would have "a total lack of confidence" that Staff had been able to complete a full review.

Planning and Zoning Board
 March 17, 2010
 Request.
 Page 14

Amend the City's Comprehensive Plan. The Proposed Amendments Include Changes to the Future Land Use Map Changes as indicated below:

<u>PARK NAME</u>	<u>FROM</u>	<u>TO</u>
FLAMINGO PARK:	Industrial	Park Open-Space
HORTT:	Community Facilities	Park Open-Space
SOUTH MIDDLE RIVER:	Residential Medium	Park Open-Space
GORE:	Residential Medium	Park Open-Space

Legal
 Description:

Flamingo Park:

FLAMINGO PARK SECTION C, 38-30 b, PARCEL E.

Hortt:

ALL OF HORTT ELEMENTARY SCHOOL SITE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

South Middle River:

PARCEL A

A PORTION OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST) BROWARD COUNTY, FLORIDA

PARCEL B

THE NORTH 135 FEET OF THE WEST 200 FEET OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼, SECTION 34, TOWNSHIP 49 SOUTH, RANGE 42 EAST, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Gore:

A PARCEL OF LAND IN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA

Address:

Flamingo Park - 1600 SW 21 Way

Hortt Park - 1700 SW 14 Ct.

South Middle River Park - 1718 NW 6 Ave.

Gore Park - 1611 SW 9 Ave.

General
 Location

City Wide

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Anthony Fajardo, Planner, explained that this is a Comprehensive Plan Amendment that would change existing land use designations of Flamingo Park, Hott Park, South Middle River Terrace Park, and Gore Park to Park Open-Space land use designations, totaling 8.74 acres.

All the parks cited were purchased with the Preservation Bond Fund and are subject to an interlocal agreement with Broward County, which stipulates that they be maintained as park open space.

There being no questions from the Board at this time, Chair Welch opened the public hearing.

There being no members of the public wishing to speak on this Item, Chair Welch closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Witschen, seconded by Ms. Maus, to approve the Comprehensive Plan Amendment. In a roll call vote, the **motion** carried unanimously.

5. Communications to the City Commission

Mr. Witschen referred to the "Trump foreclosure," noting that while this issue is outside the Board's purview, he was concerned that the City facilitated competition without having "compatible and complementary uses" on the Bahia Mar site.

It was clarified that this was an individual comment and not intended to be a formal Communication from the Board to the City Commission.

6. For the Good of the City

Mr. Pritchard, who had addressed the Board on Item 4, stated that if the site under discussion in that Item was visited, both sides of 55th, from Federal Highway to Bayview, have "continual speed bumps" in several areas, although 26th Avenue has no speed bumps. He asked that speed bumps be considered as a way to slow traffic in this area, as he felt the traffic count in the neighborhood is "enormous."

Director Brewton confirmed that there is a process to petition for speed bumps by contacting the Public Works Department. He advised that the Board does not have any authority on the issue of speed bumps.

Mr. Stresau stated that the drawings presented at half scale cannot be read. As the documents in question are produced by the Applicants, he suggested they could be asked to provide the documents in a larger size, or in PDF format on a disc so the Board could read them clearly. Ms. Maus recalled that the documents had been full size at one point. Mr. Stresau asserted that he could not read the site plan and landscape plan submitted as part of Item 4.

Director Brewton agreed that the documents had previously been submitted in a larger format, but the Board had requested that they be reduced.

Director Brewton noted that Staff will "take a closer look" at the documents submitted for Board review, and if they feel the quality is deficient, the Applicant will be asked to make appropriate changes. He pointed out that it is the Applicant's responsibility to submit legible documents.

Mr. Stresau and Mr. Witschen proposed that if plans are illegible, the Item should be tabled. Mr. Stresau added that the landscape plan for Item 1 was also difficult to read. Ms. Tuggle agreed that the plans submitted for Item 4 appeared to be "gibberish."

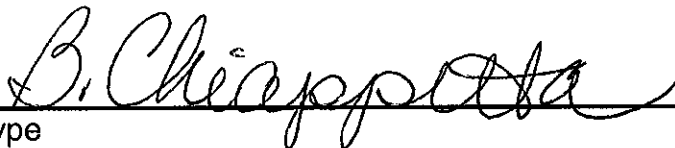
Chair Welch stated that the letters received by the condominium association and the Theological Seminary should be added as exhibits for Item 4.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:20 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]



Chair



Prototype